**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Original Jurisdiction**

Dated: Nainital: the 12th day of September, 2006
Crl. Bail Application No. 653 of 2006

**Order on the Bail Application:**
**CRIMINAL SIDE**

**Smt. Nandi Devi W/o Sri Pan Singh Bisht,**
**R/o Village Avaltani, Patti Mangoli,**
**P.S. Tallital, District Nainital. …….. Applicant**

**Versus**

**State of Uttaranchal …….. Opposite Party**

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Arising out of Crime No. 01 of 2006
Under Sections: 304-B of I.P.C. r/w Sec. ¾ Dowry Prohibition Act
Police Station: Tallital,
District: Nainital.

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**Hon'ble Prafulla C. Pant, J.**

Heard J.S. Virk, learned counsel for the applicant and Mr. Nandan Arya, learned A.G.A. for the State.

The applicant Smt. Nandi Devi, who is in jail in connection with crime No. 01 of 2006, under Section 304-B of the I.P.C. and under Section ¾ of Dowry Prohibition Act, 1961, P.S. Tallital, District Nainital, has sought her release on bail.

Co-accused Pan Singh Bisht has been released on bail. He was father-in-law of the deceased. Applicant is mother-in-law of the deceased. There is no mention in the F.I.R. as to demand of dowry made by the applicant. The cause of death shown in the postmortem report is asphyxia as a result of hanging.

Considering all the circumstances, mentioned above, and the fact that the applicant is a woman, in the opinion of this Court, she deserves bail.

Let the applicant be released on bail on her executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Nainital.

Dt. 12.09.2006 (Prafulla C. Pant, J.)
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